

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

NO. 03 CV 12307 RGS

JOSEPH CHRISTOFORO)	
Plaintiff)	
)	
VS.)	<u>Motion to Continue Trial</u>
)	
JULIO LUPO,)	
Defendant)	

Now comes the plaintiff, Joseph Christoforo, and respectfully moves this Honorable Court to issue an order continuing and re-scheduling the trial presently scheduled for June 18, 2007.

In support of this motion, the plaintiff assigns the following:

1. That the present trial date of June 18, 2007 is the first trial date scheduled in this case and the parties have not previously sought to continue this matter;
2. That counsel for the plaintiff has a long-planned family vacation that was originally scheduled to begin on June 27, 2007;
3. That circumstances have changed, and counsel for the plaintiff has a unique opportunity to extend this vacation with additional travel in Spain and France, but such would require his departure on June 19, 2007; and
4. Counsel requests that this matter be re-scheduled to a date in October or November convenient to the Court.

Respectfully Submitted,
The Plaintiff,
By His Attorney,

/s/ *Edward J. McCormick, III*

Edward J. McCormick, III
McCormick & Maitland
Suite Six – Hayward Manor
195 Main Street
Franklin, MA 02038
(508) 520-0333
BBO# 329780

CERTIFICATION OF CONFERENCE

Pursuant to Local Rule 7.1(a)(2), I, Edward J. McCormick, III, do hereby certify that I conferred by telephone with Defendant's counsel, Joseph Monahan, III, on May 22, 2007, regarding this motion in a good faith attempt to resolve or narrow the issue.

/s/ *Edward J. McCormick, III*

Edward J. McCormick, III

CERTIFICATE OF SERVICE

I, Edward J. McCormick, III, do hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on May 22, 2007.

/s/ *Edward J. McCormick, III*

Edward J. McCormick, III